


PATENT

Attorney Docket No. 29635-714.201

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Patent Application of:	Group Art Unit: 1615
Applicant: Bonnie HEPBURN et al.	Examiner: Bethany P. Barham
Serial No.: 10/783,871	Confirmation No.: 7593
Filed: February 20, 2004	<u>Certificate of Electronic Filing</u>
Title: <i>Novel Formulation, Omeprazole Antacid Complex-Immediate Release for Rapid and Sustained Suppression of Gastric Acid</i>	I hereby certify that the attached Supplemental Information Disclosure Statement and all marked attachments are being deposited by Electronic Filing on October <u>10</u> , 2006 by using the EFS – Web patent filing system and addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
	By:  Ann Lygas

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

UNDER 37 C.F.R. §1.97

Sir:

Applicants hereby submit an Information Disclosure Statement along with attached form(s) PTO/SB/08. A copy of each listed publication is being submitted herewith. A copy of the WO search report is also attached.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. Applicants further request that the Examiner initial and return the attached form(s) PTO/SB/08 in accordance with MPEP §609.

Applicants reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, prior art or material to patentability as defined in §1.56.

- ☒ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because:
- ☒ (3) It is being filed before the mail date of the first Office Action on the merits
-- OR --
- ☒ Copies of references listed on the attached Form PTO/SB/08 are enclosed herewith EXCEPT THAT:
- ☒ The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i).
- ☒ *Statement Under 37 C.F.R. §1.704(d)*: Each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart application that was received by an individual designated in § 1.56(c) not more than thirty (30) days prior to the filing of this information disclosure statement. This statement is made pursuant to the requirements of 37 C.F.R. §1.704(d) to avoid reduction of the period of adjustment of the patent term for Applicant(s) delay.
- ☒ *Fee Authorization*. The Commissioner is hereby authorized to charge the above-referenced fees of \$0.00 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 23-2415 (Docket No. 29635-714.201).

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI

Dated: 10/10/06

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Under the paperwork Reduction Act of 1995, no persons required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/783,871
				Filing Date	February 20, 2004
				First Named Inventor	Bonnie Hepburn
				Art Unit	1615
				Examiner Name	Bethany P. Barham
Sheet	1	of	1	Attorney Docket Number	29635-714.201

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	1	US-2004-0170750	09-02-2004	Bunick et al.	
	2	US-2004-0146559	7-29-2004	Sowden et al.	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.